

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY	)	MDL NO. 1456
AVERAGE WHOLESALE PRICE	)	
LITIGATION	)	CIVIL ACTION: 01-CV-12257-PBS
	)	
THIS DOCUMENT RELATES TO:	)	JUDGE PATTI B. SARIS
ALL ACTIONS	)	
	)	

**MOTION TO PERMIT NICHOLAS PATRICK MIZELL  
TO APPEAR PRO HAC VICE**

Pursuant to Rule 83.5.3(b) of the Local Rules of this Court, David M. Glynn, a counsel of record for defendants Aventis Pharmaceuticals Inc. hereby moves this Court to permit Nicholas Patrick Mizell to appear on its behalf as counsel *pro hac vice* in the above-captioned action.

In support of this motion, undersigned counsel states the following:

1. The undersigned is a member in good standing of the bar of this Court.
2. Mr. Mizell is a member in good standing of the bars of Missouri and Kansas.
3. Mr. Mizell is an associate at the law firm of Shook, Hardy & Bacon L.L.P.
4. There are no disciplinary proceedings pending against Mr. Mizell as a member of any bar in any jurisdiction.
5. Mr. Mizell has indicated in his Certificate attached hereto that he is familiar with the Local Rules of the United States District Court for the District of Massachusetts.
7. Mr. Mizell's Certificate In Support Of Motion To Permit Counsel To Appear Pro Hac Vice is attached hereto behind Tab A; a Proposed Order is attached behind Tab B.

Dated: February 23, 2005

Respectfully submitted,

/s/ David M. Glynn

**Michael DeMarco (BBO #119960)**

**mdemarco@klng.com**

**Jeffrey S. King (BBO #559000)**

**jking@klng.com**

**David M. Glynn (BBO #650964)**

**dglynn@klng.com**

**Cara E. Corbett (BBO #654852)**

**ecorbett@klng.com**

**KIRKPATRICK&LOCKHART**

**NICHOLSON GRAHAM LLP**

**75 State Street**

**Boston, MA 02109-1808**

**(617) 261-3100**

*Attorneys for Defendants Aventis  
Pharmaceuticals Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this document was served via Verilaw on all enrolled counsel on February 23, 2005.

/s/ David M. Glynn

David M. Glynn